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INFORMATION DISCLOSURE	Application Number		10797439
	Filing Date		2004-03-09
	First Named Inventor Gary V		Weller
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit		3731
(Not for Submission under 57 Of it 1.53)	Examiner Name	Unass	signed
	Attorney Docket Number	er	SATTY 69244

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	1	3372443		1967-02-16	DADDONA, JR.	
	2	4063561		1977-12-20	McKENNA	
	3	4258705		1981-03-31	SORENSON ET AL.	
	4	4311146		1982-01-19	WONDER	
	5	4496288		1987-09-29	KUZMAK	
	6	4610383		1986-09-09	ROTHFUSS ET AL.	
	7	4646205		1987-01-13	STEER	
	8	4643169		1987-06-09	KOSS ET AL.	

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9	4795430		1989-02-03	QUINN ET AL.	
10	5403312		1995-04-04	YATES ET AL.	
11	5462559		1995-10-31	AHMED	
12	5551622		1996-09-03	YOON	
13	5571116		1996-11-05	BOLANOS ET AL.	
14	5607094		1997-03-04	CLARK ET AL.	
15	5655698		1997-08-12	YOON	
16	5676674		1997-10-14	BOLANOS ET AL	
17	5788715		1998-08-04	WATSON, JR. ET AL.	
18	5897562		1999-04-27	BOLANOS ET AL.	
19	6352543	B1	2002-03-05	COLE	

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20	6494888	B1	2002-12-17	LAUFER ET AL.	
21	6506196	B1	2003-01-14	LAUFER	
22	6605037	B1	2003-08-12	MOLL ET AL.	
23	6663598	B1	2003-12-16	CARRILLO, JR. ET AL.	
24	6830546	B1	2004-12-14	McGUCKIN, JR. ET AL.	
25	6916332	B2	2005-07-12	ADAMS	
26	7033373	B2	2006-04-25	de laTORRE ET AL.	
27	7033384	B2	2006-04-25	GANNOE ET AL.	
28	7083629	B2	2006-08-01	WELLER ET AL.	
29	7097650	B2	2006-08-29	WELLER ET AL.	
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	1	20030093117	A1	2003-05-15	SAADAT	
	2	20030120289	A1	2003-06-26	McGUCKIN, JR. ET AL.	
	3	20040092974	A1	2004-05-13	GANNOE ET AL.	
	4	20040210243	A1	2004-10-21	GANNOE ET AL.	
	5	20040215180	A1	2004-10-28	STARKEBAUM ET AL.	
	6	20040236457	A1	2004-11-25	KRAEMER ET AL.	
	7	20040249362	A1	2004-12-09	LEVINE ET AL.	
	8	20050010162	A1	2005-01-13	UTLEY ET AL.	
	9	20050033328	A1	2005-02-10	LAUFER ET AL.	
	10	20050038415	A1	2005-02-17	ROHR ET AL.	

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11	20050080438	A1	2005-04-14	WELLER ET AL.	
12	20050192599	A1	2005-09-01	DEMARAIS	
13	20050192601	A1	2005-09-01	DEMARAIS	
14	20050203547	A1	2005-09-15	WELLER ET AL.	
15	20050228504	A1	2005-10-13	DEMARAIS	
16	20050256533	A1	2005-11-17	ROTH ET AL.	
17	20060106288	A1	2006-05-18	ROTH ET AL.	
18	20060122462	A1	2006-06-08	ROTH ET AL.	
19	20060142787	A1	2006-06-29	WELLER ET AL.	
20	20060151568	A1	2006-07-13	WELLER ET AL.	
21	20060111735	A1	2006-05-25	CRAINICH	

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	1	WO03099140	PC	A1	2003-12-04	KRAEMER ET AL.		
	2	WO03105563	PC	A2	2003-12-24	SAADAT ET AL.		
	3	WO04019787	PC	A2	2004-03-11	DEVRIES ET AL.		
	4	WO04103189	PC	A1	2004-12-02	GAMBALE ET AL.		
	5	WO05023118	PC	A1	2005-03-17	GARZA ALVAREZ		
	6	WO05037152	PC	A1	2005-04-28	STACK ET AL.		
	7	WO05058239	PC	A2	2005-06-30	SAADAT ET AL.		
	8	WO05060882	PC	A1	2005-07-07	MEADE ET AL.		
	9	WO06078781	PC	A1	2006-07-27	LEVINE ET AL.		

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	10	0137878	EP	A1	1985-04-24	GARREN ET AL.		
	11	0174843	EP	A1	1986-03-19	MILLS ET AL.		
	12	0246999	EP	A1	1987-11-25	OMIKRON SCIENTIFIC LTD		
	13	0540010	EP	A2	1993-05-05	BESSLER ET AL.		
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	1	Gukovsky-Reicher, S., M.D. et al., "Expandable Metal Esophageal Stents: Efficacy and Safety. Review of Current Literature Data and of 53 Stents Placed at Harbor-UCLA Medical Center," www.medscape.com/viewarticle/423508_print, pages 1-20, Medscape General Medicine 4(1), 2003/2002 Medscape, downloaded October 9, 2006						
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